

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARL CHESTER,
Petitioner,

CIVIL ACTION

v.

**SUPERINTENDENT KAUFFMAN,
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,
Respondents.**

NO. 17-3116

ORDER

AND NOW, this 27th day of July, 2018, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Carl Chester, the record in this case, the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells dated June 15, 2018, no objection having been filed notwithstanding the passage of time to do so, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells dated June 15, 2018, is **APPROVED** and **ADOPTED**;
2. Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Carl Chester, is **DISMISSED** without an evidentiary hearing; and,
3. The Clerk of Court shall **MARK** this case **CLOSED**.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.